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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA
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13 US BANK NATIONAL ASSOCIATION, AS
14 TRUSTEE, SUCCESSOR IN INTEREST TO
15 WACHOVIA BANK, NATIONAL
16 ASSOCIATION AS TRUSTEE FOR WELLS
17 FARGO ASSET SECURITIES
18 CORPORATION, MORTGAGE PASS-
19 THROUGH CERTIFICATES, SERIES 2005-
20 AR2 AT 4801 FREDERICA STREET,
21 OWENSBORO, KY 42301, a national
22 association; WELLS FARGO BANK, N.A., a
23 national association;
24

25 Plaintiffs,

26 vs.

27 VILLA VECCHIO CT. TRUST, a Nevada
28 trust; ABSOLUTE COLLECTION
SERVICES, LLC, a Nevada limited-liability
company; THE FOOTHILLS AT SOUTHERN
HIGHLANDS HOMEOWNERS
ASSOCIATION, a Nevada non-profit
corporation;

Defendants.

Case No. 2:17-cv-00143-MMD-VCF

ORDER RE:
STIPULATION AND ORDER TO
WITHDRAW VILLA VECCHIO CT.
TRUST'S RENEWED MOTION TO
DISMISS COMPLAINT

Plaintiffs US Bank National Association, as Trustee, Successor in Interest to Wachovia Bank, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2005-AR2 at 4801 Frederica Street, Owensboro, KY 42301

1 (“US Bank”) and Wells Fargo Bank, N.A. (“Wells Fargo” and together with US Bank,
2 “Plaintiffs”), and Defendant Villa Vecchio Ct. Trust (“Villa Vecchio” and together with Plaintiffs
3 and Villa Vecchio, the “Parties”), through their counsel of record hereby stipulate and agree that
4 Villa Vecchio’s Renewed Motion to Dismiss Complaint (ECF No. 53) is withdrawn without
5 prejudice. The Parties enter this Stipulation based on the fact that they have stipulated to dismiss
6 Plaintiffs’ Third and Fourth Claims for Relief (ECF No. 60) which moots a portion of the Motion
7 to Dismiss. And further, the Parties understand and agree that the arguments raised in the Motion
8 to Dismiss are likely to be raised in briefing on cross motions for summary judgment, due July 31.
9 The Parties thus enter this Stipulation to conserve party and judicial resources by avoiding
10 duplicative briefing, and not to prejudice any party.

11 The Parties respectfully request that the Court grant this Stipulation withdrawing the
12 Motion to Dismiss

13 DATED this 19 day of July, 2019.

DATED this 19 day of July, 2019.

14 ROGER P. CROTEAU & ASSOCIATES

SNELL & WILMER L.L.P.

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24 **IT IS SO ORDERED.**



UNITED STATES DISTRICT JUDGE

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27 DATED: July 22, 2019
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